

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CRIMINAL CASE NO. 3:09-cr-00019-MR-1  
[CIVIL CASE NO. 3:13-cv-00592-MR]**

**UNITED STATES OF AMERICA,**

**Plaintiff,** )

**VS.**

**CHARLES ALLEN HALL,** )

**Defendant.** )

## ORDER

**THIS MATTER** is before the Court on remand from the United States Court of Appeals for the Fourth Circuit [Docs, 98, 100] and the parties' Joint Motion for Time Served Sentence [Doc. 101].

On April 7, 2017, the Court of Appeals vacated the Defendant's 188-month sentence under the Armed Career Criminal Act ("ACCA") and remanded for resentencing without the ACCA enhancement. [Doc. 98]. The Court of Appeals issued its mandate on April 11, 2017. [Doc. 100]. On April 17, 2017, the Defendant filed a joint motion for this Court to impose a time-served sentence without a sentencing hearing. [Doc. 101]. The Government consents to this request. [Id.].

Without the ACCA enhancement, the Defendant is subject to a statutory maximum sentence of 120 months. The record reflects that the Defendant has been imprisoned for some 98 months since his initial arrest. With additional credits to which the Defendant may be entitled, he may have credit for having served a period that approximates the 120-month term. Accordingly, for the reasons stated in the parties' Joint Motion, the Court will resentence the Defendant to a term of time served. It is the intention of the Court that this resentencing will result in the expeditious release of the Defendant from the Bureau of Prisons.

Accordingly, **IT IS, THEREFORE, ORDERED** that the parties' Joint Motion for Time Served Sentence [Doc. 101] is **GRANTED**, and the Defendant's previously imposed sentence of 188 months' imprisonment is hereby **VACATED**.

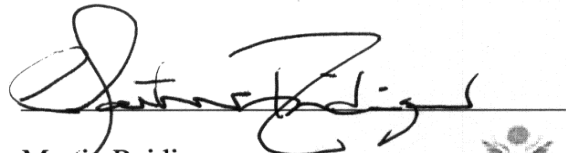
**IT IS FURTHER ORDERED** that the Defendant is hereby resentedenced to a term of time served, with all remaining provisions of the Defendant's Amended Judgment [Doc. 88] to remain in full force and effect.

The Clerk of Court shall prepare an Amended Judgment in accordance with the provisions of this Order.

The Clerk of Court is further directed to certify copies of this Order to counsel for the parties, the United States Bureau of Prisons, the United States Marshals Service, and the United States Probation Office.

**IT IS SO ORDERED.**

Signed: April 19, 2017

  
Martin Reidinger  
United States District Judge

